

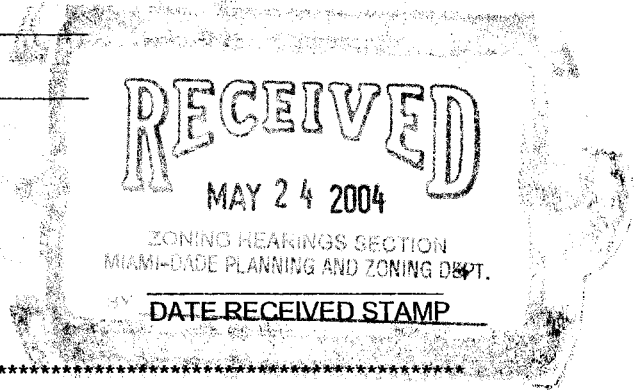
PETITION OF APPEAL FROM DECISION OF
MIAMI-DADE COUNTY COMMUNITY ZONING APPEALS BOARD
TO THE BOARD OF COUNTY COMMISSIONERS

CHECKED BY _____ AMOUNT OF FEE _____

RECEIPT # _____

DATE HEARD: ____/____/____

BY CZAB # _____



This Appeal Form must be completed in accordance with the "Instruction for Filing an Appeal" and in accordance with Chapter 33 of the Code of Miami-Dade County, Florida, and return must be made to the Department on or before the Deadline Date prescribed for the Appeal.

RE: Hearing No. 03-242

Filed in the name of (Applicant) TCAG, LLC

Name of Appellant, if other than applicant _____

Address/Location of APPELLANT'S property: Lying North of theoretical SW 135 St. and West of theoretical SW 132 Ave

Application, or part of Application being Appealed (Explanation):
Entire Appealable Application

Appellant (name): TCAG, LLC
hereby appeals the decision of the Miami-Dade County Community Zoning Appeals Board with reference to the above subject matter, and in accordance with the provisions contained in Chapter 33 of the Code of Miami-Dade County, Florida, hereby makes application to the Board of County Commissioners for review of said decision. The grounds and reasons supporting the reversal of the ruling of the Community Zoning Appeals Board are as follows:
(State in brief and concise language)

The request for zoning re-classification from GU to IU-C is consistent with the Miami-Dade County Master Plan Designation for this area which is Office/Industrial. Upon review, the application received no objection from DERM, the Public Works Department, Parks, MDTA, Fire Rescue, or Police (Schools withheld comment). The requested reclassification received favorable recommendations from the staff at the Department of Planning and Zoning which stated in said approval, "the area where the subject property lies is characterized by industrial uses such as warehouses, auto shops and mini-storage facilities". The subject application for non-use variance clearly meets the standards set forth in §33-311(A)(4)(b) and (c) insofar that it maintains the basic intent and purpose of the zoning, subdivision, and other land use regulations despite the fact that the property does not meet the minimum lot size requirement. A special condition exists by virtue of the fact that the owner of the property, also owns the adjacent property of approximately equal size. Said property already has an IU-C zoning classification. Taken together with the subject property, the two properties either meet or are within .02 of an acre of the required 10 acre lot size requirement. Additionally, all of the properties immediately surrounding this property have an IU-C zoning classification with the exception of the property immediately to the West which is IU-1. The uses permitted under the IU-C zoning classification set out certain restrictions that, although not necessary to insulate the surrounding neighborhoods, do so by requiring the "at all manufacturing establishments or rebuilding, storage, or repair places permitted in an IU-C District, all materials and products shall be stored and all manufacturing, rebuilding, storing or renovation operations shall be carried on entirely within an enclosed building or confined and completely enclosed within masonry walls" (See §33-270). As such, the uses permitted would not be detrimental to the surrounding community which as already stated already has industrial zoning classifications. Between the subject property and the nearest residential community, there lies a vacant property which already contains an IU-C classification. Therefore, the uses permitted by the present application to change the zoning would no more impact said residential community than the uses permitted on property located adjacent to said residential community. Denial of the IU-C classification based on lot size would be severely detrimental to the economic feasibility of the property

For all the reasons stated above, there was no basis for the Community Zoning Appeal Board's denial of the subject zoning application.

APPELLANT'S AFFIDAVIT OF STANDING
(must be signed by each Appellant)

STATE OF Florida

COUNTY OF Miami-Dade

Before me the undersigned authority, personally appeared Raquel Carro, Manager
(Appellant) who was sworn and says that the Appellant has standing to file the attached appeal
of a Community Zoning Appeals Board decision.

The Appellant further states that they have standing by virtue of being of record in Community
Zoning Appeals Board matter because of the following:

(Check all that apply)

- ☒ 1. Participation at the hearing
☒ 2. Original Applicant
☐ 3. Written objections, waivers or consent

Appellant further states they understand the meaning of an oath and the penalties for perjury,
and that under penalties of perjury, Affiant declares that the facts stated herein are true.

Further Appellant says not.

Witnesses:

Alina Lopez
Signature

Alina Lopez
Print Name

[Signature]
Signature

Eric A. Gonzalez
Print Name

Raquel Carro
Appellant's signature

Raquel Carro, Manager of
Print Name TCA6, LLC

Sworn to and subscribed before me on the 20 day of May, year 2004.

Appellant is personally know to me or has produced _____ as
identification.



[Signature]
Notary
(Stamp/Seal)

Commission Expires:

APPELLANT MUST SIGN THIS PAGE

Date: 20 day of May, year: 2004

Signed

Raquel Carro

Raquel Carro, Manager of
Print Name TCAG, LLC

7050 SW 86 Ave, Miami, FL 33143
Mailing Address

305/595-2300
Phone

305/595-0408
Fax

REPRESENTATIVE'S AFFIDAVIT

If you are filing as representative of an association or other entity, so indicate:

Representing

Signature

Print Name

Address

City

State

Zip

Telephone Number

Subscribed and Sworn to before me on the 20 day of May, year 2004

[Signature]
Notary Public

(stamp/seal)

Commission expires:

